

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

MEDLEY FARM
10/14

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RALPH C. MEDLEY; CLYDE MEDLEY,
GRACE MEDLEY AND BARRY MEDLEY,
INDIVIDUALLY AND d/b/a MEDLEY'S
CONCRETE WORKS; MILLIKEN &
COMPANY; UNISPHERE CHEMICAL
CORPORATION; NATIONAL STARCH
AND CHEMICAL CORPORATION,

Defendants,

Civil Action No. 7:86-252-3

MILLIKEN & COMPANY,

Third-Party Plaintiff,

vs.

ABCO INDUSTRIES, INC.; BASF
CORPORATION; ETHOX CHEMICALS,
INC.; POLYMER INDUSTRIES, a
division of MORTON-THIOL, INC.;
TANNER CHEMICAL COMPANY; AND
CHAS. S. TANNER COMPANY,

Third-Party Defendants.

REQUEST FOR ADMISSIONS

TO: CHAS. S. TANNER COMPANY

Pursuant to Rule 36 of the Federal Rules of Civil Procedure, defendant, Milliken & Company, requests that the above-named defendant admit the truth of the following statements of fact within thirty (30) days of date of service thereof:

10294743



REQUEST FOR ADMISSIONS

1. Admit the genuineness of the following documents, a copy of which is attached and labelled as Exhibit A:

Letter of September 3, 1975 to Barry Medley from Chas.

S. Tanner Co.

2. Admit that vinyl acetate is listed as a hazardous substance under Section 311(b)(4) of the Federal Water Pollution Control Act, 33 U.S.C. § 1251 et seq. and/or a hazardous substance as defined in Section 101(14) of the Comprehensive Environmental Response Compensation and Liability Act of 1980, 42 U.S.C. § 9601(14).

THOMPSON, MANN AND HUTSON

By: 

Robert T. Thompson

John P. Mann

James W. Potter

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(803) 242-3200

HOLCOMBE, BOMAR, WYNN AND GUNN

By: 

William U. Gunn

Post Office Drawer 1897

Spartanburg, South Carolina 29304

(803) 585-4273

Attorneys for Milliken & Company

Dated: March 28, 1986



CHAS. S. TANNER CO.

BOX 6748, GREENVILLE, SOUTH CAROLINA 29606
(803) 277-7080

September 3, 1975

Medley's Concrete
Barry Medley:

Waste discarded is primarily coagulum from vinyl acetate and butyl acrylate latex emulsions. It contains no heavy metals such as mercury.

A handwritten signature in dark ink, appearing to read 'J. R. [unclear]', is written in a cursive style. The signature is located in the center-right of the page.

EXHIBIT A

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of March, 1986, the foregoing Request for Admissions to Chas. S. Tanner Company were mailed, postage prepaid, to the following:

Wade S. Weatherford, III
Post Office Box 41
Gaffney, South Carolina 29340
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Clyde Medley, Grace Medley, Barry
Medley, and Medley Concrete Works

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King & Spalding
2500 Trust Company Tower
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Attorneys for National Starch and
Chemical Corporation and Chas. S.
Tanner Company

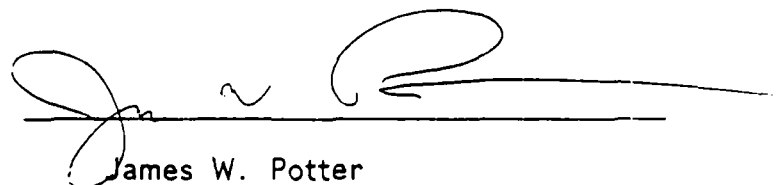
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